

United States District Court
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

FINJAN, INC.,

No. C 17-05659 WHA

Plaintiff,

v.

**REQUEST FOR BRIEFING
RE SECTION 101 ISSUE**

JUNIPER NETWORKS, INC.,

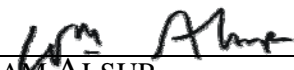
Defendant.

The Court has reviewed defendant Juniper Networks, Inc.’s letter requesting clarification of issues (Dkt. No. 528). Regarding the Section 101 invalidity issue with respect to Claim 10 of the United States Patent No. 8,677,494 (“the ’494 patent”), both sides shall file a brief, not to exceed **EIGHT PAGES**, based on the trial record in our case under Rule 52 by **JUNE 28 AT NOON**. A response not exceeding **FOUR PAGES** may be filed by **JULY 1 AT NOON**. There will be no footnotes, declarations, or attachments to any of the aforementioned briefs.

The parties shall please address Judge William Orrick’s Section 101 analysis in *Finjan, Inc. v. Sophos, Inc.*, 244 F. Supp. 3d 1016 (N.D. Cal. 2017), and explain why the Court should not follow it with respect to Claim 10 of the ’494 patent. In doing so, please explain the origin and applicability of the standard with respect to viewing the patent in the light most favorable to plaintiff Finjan, Inc. in connection with a Rule 52 motion. *See id.* at 1060.

IT IS SO ORDERED.

Dated: June 19, 2019.


WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE